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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,873	03/12/2001	Mark Moldavsky	2562-1-001	7997
23565	7590	11/07/2003	EXAMINER LAIR, DONALD M	
KLAUBER & JACKSON 411 HACKENSACK AVENUE HACKENSACK, NJ 07601			ART UNIT 2858	PAPER NUMBER

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/786,873

Applicant(s)

MOLDAVSKY ET AL.

Examiner

Donald M. Lair

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12.

- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 11, 13 – 22, 24, 28 – 41, and 51 are rejected under 35 U.S.C. 102(b) as being anticipated by Wingate (US-4,480,312).

3. In regards to Claims 1, 4, 5, 8 – 10, 13, 20, 21, 24, 31 – 34, 40, and 51, Wingate discloses circuitry for signal measurement comprising a signal input generated by sensors, a microprocessor (Fig. 1), and an oscillator, wherein the oscillator is operable to generate a pulse signal, the frequency of which is a function of amplitude of a first signal (Fig. 2B, Column 4, lines 49 – 52), and then supply the pulse signal to the microprocessor, and wherein the microprocessor is operable to measure the frequency of the pulse signal by comparing the pulse signal with a timing signal (Column 4, lines 53 – 56; Column 5, lines 4 – 15).

4. In regards to Claim 2, Wingate discloses circuitry containing all the elements described above, wherein it is inherent that a timing signal is in the form of a timing window.

5. In regards to Claims 3, 7, 14, 15, 35, 36, 39, Wingate discloses circuitry containing all the elements described above, wherein the pulse signal is countable by a counter (Column 4, lines 49 – 56).

6. In regards to Claim 6, 16 – 19, 37, 38, Wingate discloses circuitry containing all the elements described above, further comprising a timer, wherein the time comprises a capacitor-based circuit (Column 3, lines 17 – 22).

7. In regards to Claims 28 – 30, Wingate discloses circuitry containing all the elements described above, wherein the sensor is connected to the oscillator via an interface circuit, wherein the circuit can act as a buffer and amplifier (Fig. 2B, element 19).

8. In regards to Claims 11, 22, and 41, Wingate discloses circuitry containing all the elements described above, wherein the signals obtained from the sensors are analog signals.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 12, 23, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wingate (US-4,480,312).

11. In regards to Claims 12, 23, and 42, Wingate discloses circuitry containing all the elements described above, but fails to teach using a digital input signal; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made that digital signals are capable of representing obtained measurements, for the purpose of obtaining discrete measurements to supply to the microprocessor (MPEP 2144.03).

12. Claims 25 – 27, and 43 – 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wingate (US-4,480,312) in view of the Applicant's admitted prior art.

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13. In regards to Claims 25 – 27, and 43 – 50, Wingate discloses circuitry specifically for measuring temperature, but fails to teach replacing the temperature sensors with sensors designed to be responsive to other stimulus. It is well known in the art that a large array of sensors work in a manner that is compatible with the system taught by Wingate, specifically generating an output voltage that correlates to varying levels of stimulus created by an environment.

14. Further, the Applicant has disclosed that it desirable to use alarm circuitry to monitor a plurality of different environmental stimuli (Page 1, paragraph 2 –Page 5, paragraph 3), wherein sensors are included in the alarm circuitry.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention disclosed by Wingate by replacing the temperature sensors with any other type of sensor that generates a voltage in response to a stimulus as cited several times in the Applicant's admitted prior art, for the purpose of having a circuit responsive to a plurality of different environment changes.

Response to Arguments

15. Applicant's arguments filed 09/02/03 have been fully considered but they are not persuasive.

16. The Applicant disagrees with the Examiner's rejection on the basis that:

Wingate does not show or suggest providing a signal as an input to the microprocessor clock as claimed in independent claims 13, 34 and 51.

Independent claim 13 recites "a clock oscillator circuit operable to generate a clock signal for said microprocessor". Independent claim 34 also recites "a clock oscillator generating a clock signal for said microprocessor". Independent claim 51 similarly recites "providing a first signal to an oscillator circuit operable to generate a

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clock signal for a microprocessor". None of the prior art shows or suggests using the output of the oscillator as an input to the microprocessor clock as recited in independent claims 13, 34 and 51.

17. The Examiner maintains that the Wingate reference does in fact teach a clock oscillator generating a clock signal for the microprocessor. As stated in the Office Action submitted on 4-30-03, the reference teaches this at Fig. 2B, element 35 and Column 4, lines 49 – 52. Column 3, lines 47 – 49 describe this arrangement further.

18. No convincing argument was made as to why the crystal oscillator (35) providing a clock signal to the XTAL input of the microprocessor fails to constitute providing a clock signal to the microprocessor.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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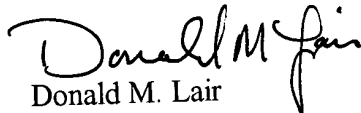
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald M. Lair whose telephone number is (703) 305-4450. The examiner can normally be reached on Monday - Friday, 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on (703) 308-0750. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1436.


Donald M. Lair
Patent Examiner
Art Unit 2858
November 4, 2003


N. Le
Supervisory Patent Examiner
Technology Center 2800